

David J. Larson., Esq.
Nevada Bar No. 8837
Rosemary Missisian, Esq.
Nevada Bar No. 8575
WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC
3773 Howard Hughes, Pkwy., Suite 390N
Las Vegas, NV 89169
Telephone: (702) 938-3838
Facsimile: (702) 938-3864

*Attorneys for Defendants
Hughes Water & Sewer LP, and
HD Supply Construction Supply, Limited Partnership*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDWIN K. SLAUGHTER, REBECCA FLINN,
and MEL and CAROL HEALEY, individually
and on behalf of all others similarly situated,

Plaintiffs,

vs.

UPONOR, INC., a Minnesota corporation;
UPONOR NORTH AMERICA, INC., a
Minnesota corporation; RCR PLUMBING AND
MECHANICAL, INC., a California corporation;
INTERSTATE PLUMBING & AIR
CONDITIONING, LLC, a Nevada limited
liability company; UNITED PLUMBING, LLC, a
Nevada limited liability company; FERGUSON
ENTERPRISES, INC., a Virginia corporation;
HUGHES WATER & SEWER LP, a Florida
limited partnership and successor by merger to
STANDARD WHOLESALE SUPPLY
COMPANY, a dissolved Nevada corporation;
HD SUPPLY CONSTRUCTION SUPPLY,
LIMITED PARTNERSHIP, a Florida limited
partnership; DOES 1-30, ROE
CORPORATIONS I-XXX,

Defendants.

Case No.: 2:08-cv-01223

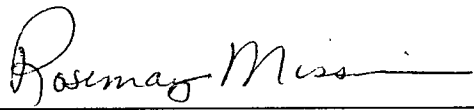
**MOTION FOR AN ORDER
SHORTENING TIME ON PLAINTIFF'S
MOTION FOR VOLUNTARY
DISMISSAL WITHOUT PREJUDICE
BY DEFENDANT HUGHES WATER &
SEWER LP AND HD SUPPLY
CONSTRUCTION SUPPLY**

///

///

Defendants **Hughes Water & Sewer LP**, and **HD Supply Construction Supply Limited Partnership**, by and through their counsel of record, David J. Larson, Esq. and Rosemary Missisian, Esq. of the law firm of WEINBERG WHEELER HUDGINS GUNN & DIAL, LLC, 3773 Howard Hughes Parkway, Suite 390N, Las Vegas, Nevada 89169, hereby submits this Motion for an Order Shortening the Time for the hearing on Plaintiff's Motion for Voluntary Dismissal Without Prejudice (Document 183).

DATED this 13th day of August 2009.



David J. Larson, Esq.
Rosemary Missisian, Esq.
WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC
3773 Howard Hughes, Pkwy., Suite 390N
Las Vegas, NV 89169
Attorneys for Defendants
Hughes Water & Sewer LP,
HD Supply Construction Supply, Limited Partnership

MEMORANDUM OF POINTS AND AUTHORITIES

Defendants Hughes Water & Sewer, LP ("Hughes Water") and HD Supply Construction Supply Limited Partnership ("HD Supply") move for an order shortening the time for a hearing regarding Plaintiffs' Motion for Voluntary Dismissal without prejudice. (Doc. 183). Plaintiffs previously obtained agreement from all parties, with the exception Uponor, Inc., to execute a Stipulation of Dismissal without prejudice as to Hughes Water and HD Supply. Based on the inability to obtain signatures of all parties, Plaintiffs moved for dismissal. Uponor, Inc. has responded to Plaintiffs' Motion for Voluntary Dismissal. (Doc. 194). The only pleading remaining is a reply brief responsive to Uponor, Inc.'s Response to Plaintiffs' Motion for Voluntary Dismissal.

Hughes Water and HD Supply request that the hearing on this matter be expedited in order to prevent these parties from having to spend additional time and money participating in the

1 discovery process, when such efforts will not be necessary if these defendants are dismissed from
2 this action.

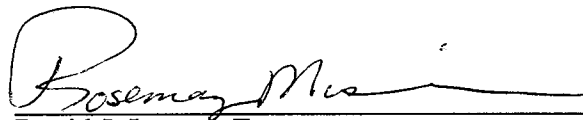
3 Local Rule 6-1 governs requests for continuance, extension of time or orders shortening
4 time. The rules states:

5 Every motion requesting a continuance, extension of time, or order shortening time
6 shall be "Filed" by the clerk and processed as an expedited matter.

7 Hughes Water and HD Supply are filing this motion with the clerk in accordance with this
8 local rule.

9 Based on the foregoing, Hughes Water and HD Supply respectfully request an order
10 shortening the time for the hearing regarding Plaintiffs' Motion for Voluntary Dismissal as to
11 Hughes Water and HD Supply. To allow the filing of a Reply brief, Hughes Water and HD Supply
12 respectfully request a hearing date on August 20, 2009 or as soon as possible thereafter.

13 DATED this 13th day of August, 2009.

14
15 

16 David J. Larson, Esq.

17 Rosemary Missislian, Esq.

18 WEINBERG, WHEELER, HUDGINS,
19 GUNN & DIAL, LLC

20 3773 Howard Hughes, Pkwy., Suite 390N
21 Las Vegas, NV 89169

22 *Attorneys for Defendants*

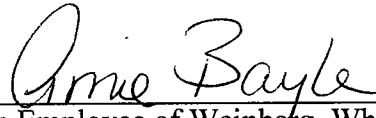
23 *Hughes Water & Sewer LP and*

24 *HD Supply Construction Supply, Inc.*
25
26
27
28

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
3773 Howard Hughes Parkway, Suite 390N
Las Vegas, Nevada 89169
(702) 938-3838

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of August, 2009, the foregoing **DEFENDANT**
HUGHES WATER & SEWER LP AND HD SUPPLY CONSTRUCTION SUPPLY'S
MOTION FOR AN ORDER SHORTENING THE TIME FOR THE HEARING
REGARDING PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL WITHOUT
PREJUDICE was served on all parties or persons requesting notice via the United States
District Court CM/ECF system.



An Employee of Weinberg, Wheeler,
Hudgins, Gunn & Dial, LLC

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
3773 Howard Hughes Parkway, Suite 390N
Las Vegas, Nevada 89169
(702) 938-3838